IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CASE NO.: **CWP No.16843 of 2006**

DATE OF DECISION: October 24, 2006

GRAM PANCHAYAT SARANGPUR ...PETITIONERS

VERSUS

DIRECTOR PANCHAYATS AND OTHERS ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ASHUTOSH MOHUNTA.
HON'BLE MRS. JUSTICE NIRMAL YADAV.

PRESENT: MR. N.P.S. MANN, ADVOCATE FOR THE PETITIONER.

ASHUTOSH MOHUNTA, J. (ORAL)

Respondents Nos.3 to 10 filed a petition under Section 10-A of the Punjab Village Common Lands (Regulation) Act before the Collector, Patiala for canceling the auction conducted by the Gram Panchayat, Sarangpur. In the auction conducted, the persons mentioned in paragraph 10 sub para (viii) were given the land on lease. It was contended by the applicants that the auction was initially fixed for 15.4.2005, however, as no auction could be conducted on that date hence the auction was subsequently postponed to 5.5.2005, thereafter to 20.5.2005 and ultimately the auction was conducted on 26.5.2005. It was contended that the date of the auction was not probably advertised and no *munadi* was held in the village.

A perusal of the orders passed by the Collector as well as by the Commissioner shows that after the date of auction was postponed from 15.4.2005 to 5.5.2005, then to 20.5.2005 and thereafter on 26.5.2005 and there was no proper publication of the date and place of the auction. There is nothing on record to show that any *munadi* was also got conducted in the

village. Both the Collector as well as the Commissioner have rightly set aside the auction and ordered the a re-auction of the land in question be held. Even otherwise, we are of the considered view that the land has been auctioned for a very paltry amount. Land measuring approximately 48 acres has been auctioned for only Rs.78,950/- which is very much on the lower side.

In view of the above, we find no merit in the writ petition and the same is dismissed. Fresh auction be held expeditiously, preferably within one month from today.

(ASHUTOSH MOHUNTA)
JUDGE

October 24, 2006
Gulati

(NIRMAL YADAV)
JUDGE